

SENATE BILL 2018

By Haile

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to observation of students in
schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 70, is amended by
adding the following language as a new section:

(a) As used in this section:

(1) "Parent" means a parent, guardian, or legal custodian who is required
under § 49-6-3001 to enroll the child in school; and

(2) "Parent's designee" means a medical, behavioral, or other
educational support professional that is assigned by the parent in writing to assist
the parent's child in educational development.

(b) To ensure that a parent of a student can participate fully and effectively in the
consideration and development of appropriate education programs for the parent's
student, an LEA shall create a policy to allow a parent or a parent's designee to observe
instruction and other school activities. Upon written request by the parent to the director
of schools or the director's designee, school officials shall arrange for observation of any
requested class, activity, or program, both academic and non-academic, by that parent
or the parent's designee in a reasonable timeframe in accordance with procedures
developed by the LEA. The policy shall allow a parent to observe the student's current
class, activity, or program and any class, activity, or program proposed for that student.
The policy created pursuant to this section shall allow a parent or a parent's designee
enough observation time to effectively evaluate the child's performance in the class,

activity, or program and the ability to determine if a proposed class, activity, or program will enable the child to make progress. The LEA shall determine how much time is reasonable and necessary for a parent or a parent's designee to effectively evaluate the child's performance in accordance with this subsection.

(c) The policy created in accordance with this section shall impose no conditions or restrictions on observations of students except those necessary to ensure child safety in a class, activity, or program; to maintain the integrity of the class, activity, or program; or to protect children from disclosure of confidential and personally identifiable information, as defined by the Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), in the event such information is obtained in the course of an observation by a parent or a parent's designee.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.